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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re 17 U.S.C. § 512(h) Subpoena to
X CORP.

Case No.:

**DECLARATION OF HIROYUKI
NAKAJIMA IN SUPPORT OF SUBPOENA
TO OBTAIN THE IDENTITY OF AN X
CORP. CUSTOMER PURSUANT TO 17
U.S.C. § 512(h)**

I, Hiroyuki Nakajima, declare as follows:

1. I am an attorney with the law firm Tokyo Flex Law Office, copyright counsel for Shogakukan Inc. ("Shogakukan"). I make this declaration in support of Shogakukan's request for the clerk of the District Court for the Northern District of California to issue the subpoena filed concurrently herewith pursuant to the Digital Millennium Copyright Act (DMCA), 17 U.S.C. § 512(h). I have personal knowledge of the facts stated in this Declaration and if called to do so, would testify competently thereto.

2. I am duly authorized by Shogakukan to make this request on Shogakukan's behalf.

3. Shogakukan is a Japanese publisher of comics, magazines, light novels, dictionaries, literature, non-fiction, home media, and other media in Japan. Shogakukan is the copyright holder for the original works that are being infringed.

1 4. Shogakukan recently discovered that certain users of X Corp.'s services have stolen
2 visuals from Shogakukan's unreleased film and posted them before they are officially released.

3 5. On August 5, 2024, Shogakukan sent a notice to X Corp., pursuant to 17 U.S.C. §
4 512 (the "DMCA Notice"), demanding X Corp., owner of the social media platform "X" (formerly
5 known as Twitter), take down the URLs containing the infringing content. A true and correct copy
6 of the DMCA Notice is attached hereto as **Schedule 1**.

7 6. Upon information and belief, X Corp. provides content delivery services enabling the
8 unauthorized reproduction and distribution of Shogakukan's copyrighted works using the URLs
9 (associated with specific user accounts) identified in the DMCA Notice.

10 7. Upon information and belief, X Corp. has possession, custody or control of
11 information about the anonymous users of its platform who have engaged in the unauthorized
12 reproduction and distribution of Shogakukan's copyrighted works.

13 8. Upon information and belief, X Corp.'s policies require a subpoena or court order to
14 compel the company to disclose information about an X user or account used in furtherance of the
15 infringement of another's copyrights.

16 9. The sole purpose for which the requested subpoena is sought is to obtain the
17 identities of the alleged infringer(s) described in the DMCA Notice and such information will only
18 be used for the purpose of protecting Shogakukan's copyright rights.

19
20 I declare under penalty of perjury under the laws of the United States of America and the
21 State of California that the foregoing is true and correct.

22
23 Executed on December 21, 2024 in Tokyo, Japan.

24
25 By: *Hiroyuki Nakajima*
26 Hiroyuki Nakajima